

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

United States of America)

v.)

CLIFFORD MAURICE INGE)

Date of Previous Judgment: July 31, 2000)
(Use Date of Last Amended Judgment if Applicable)

Case No: 4:99cr70074-001

USM No: 02641-084

Defendant's Attorney)

CLERK'S OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA
FILED
MAY 20 2008
JOHN F. CORCORAN, CLERK
DEPUTY CLERK

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is **reduced to** _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: _____

Amended Offense Level: _____

Criminal History Category: _____

Criminal History Category: _____

Previous Guideline Range: _____ to _____ months

Amended Guideline Range: _____ to _____ months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain): _____

III. ADDITIONAL COMMENTS

Defendant was convicted of several counts involving distribution of cocaine base ("crack") and was sentenced as a career offender under U.S.S.G. § 4B1.1. Although Amendment 706 to the United States Sentencing Guidelines reduced most offense levels that are based on the amount of crack involved, the Amendment did not reduce offense levels that are based on the career offender guideline. Because Defendant's offense level was based on the career offender guideline, his guideline range is not changed by the amended guidelines. Therefore, he is not eligible for a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2). Except as provided above, all provisions of the judgment dated 7/31/00 shall remain in effect.

IT IS SO ORDERED.

Order Date: May 20, 2008

Norman K. Moon
Judge's signature

Effective Date: _____
(if different from order date)

Norman K. Moon, United States District Judge
Printed name and title